

Application No.: 10/507,086

Docket No.: JCLA14365

REMARKS**Present Status of Application**

The Office Action dated September 23, 2005, has indicated that claims 3, 5-7 and 9 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims (claims 3, 7 and 9), or re-write claims (claims 5 and 6) to overcome objections because of informalities. Claims 5-6 were objected because of informalities. Claims 1, 2, 4 and 8 were rejected under 35 USC§103(a) as being unpatentable over Ohgane (US Patent No. 6,511,190) in view of Snyder et al. (US Patent No. 5,080,706).

Discussion for the objections

Claims 5-6 were objected because of informalities.

Claims 5-6 have been amended as suggested by the Office Action, i.e. replacing the term "desired" with "predetermined" and correct the misspellings.

Withdrawn of these objections is respectfully requested.

After entering the amendments, it is believed that claims 5-6 should be in the state for allowance.

Discussion for 35 U.S.C. 103 rejections

Claims 1, 2, 4 and 8 were rejected under 35 USC§103(a) as being unpatentable over Ohgane (US Patent No. 6,511,190) in view of Snyder et al. (US Patent No. 5,080,706).

The Office Action dated September 23, 2005, has indicated that claims 3, 5-7 and 9 would

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be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims (claims 3, 7 and 9), or re-write claims (claims 5 and 6) to overcome objections because of informalities. The Applicant appreciates this indication of allowance.

The Applicant has carefully considered the remarks set forth in the Office Action.

Claim 1 has been amended for clarification purposes.

Ohgane merely discloses a reflection type optical device. As clearly shown in Ohgane's Figs. 1B and 2A, the transparent base member 10 is an oblong member having an inclined and upwardly disposed end facet 11 and an inclined and downwardly disposed end facet 12 (col. 3, lines 56-65). In addition, silver films (metal films) 23-26 are formed on the outer surfaces 13-16 of the transparent base member 10 (col. 6, lines 64-68).

The Office Action considered at least Ohgane's member 10, four corners of member 10, layers 23/24 being respectively comparable to the prism, the corner portions and the compressive stress layer of this invention.

Applicant respectfully disagrees with this interpretation.

Even if considering Ohgane's member 10 as comparable to the prism, Ohgane fails to disclose or teach the corner portions **between** the prism surfaces or the compressive stress layer formed on the surface of the corner portion. Ohgane merely mentioned the silver film as "preferably has a film thickness not greater than 1000 nm in order to suppress any cracks that can be produced by the stress generated ...when depositing silver in the process of forming a silver film" (col. 6, lines 34-39). However, Ohgane teaches or mentions nothing in related to the compressive stress layer as recited in claim 1 of this invention. Further, from Ohgane's Fig. 2A, it

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is clear that the silver film layers 23/24 are not formed on the surface of four corners of the member 10.

The Office Action relied on Snyder for teachings of fire-polishing of an optical element.

Snyder merely discloses a high numerical aperture cylindrical microlens. The desired shape is formed in a glass pre-form and then heating with a fiber being drawn therefrom.

Even in combination of Snyder's teaching of fire-polishing, Snyder can not completely remedy the deficiencies of the reference Ohgane.

Because both cited references fail to teach, suggest or disclose each and every feature of the present invention, and therefore they cannot possibly arrive at the claimed invention, as suggested by the Office Action. Accordingly, Applicants respectfully submits that independent claim 1 patentably defines over the prior art references, and should be allowed. Claims 2, 4 and 8 depending from claim 1 therefore are not anticipated by the reference Ohgane or Snyder, either alone or in combination, for the reasons noted above, as well as for the additional features recited therein.

As a result, reconsideration and withdrawal of these rejections under 35 USC 103(a) are respectfully requested.

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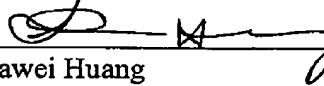
CONCLUSION

In view of the foregoing, it is believed that all pending claims are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

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Respectfully submitted,
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